

ENTERED

January 07, 2021

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

CHRISTOPHER	§	CIVIL ACTION NO.
EUSTICE,	§	4:19-cv-04813
Plaintiff,	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
BAKER HUGHES, A GE	§	
COMPANY, LLC,	§	
Defendant.	§	

**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION**

Plaintiff Christopher Eustice proceeds here *pro se*. His action seeks compensatory damages from Defendant Baker Hughes, a GE Company, LLC for its alleged employment discrimination. Dkt 1-1 at 7–10.

Eustice filed his original petition in the 189th Judicial District Court of Harris County. *Id* at 6. Baker Hughes removed. Dkt 1. Baker Hughes brought a motion for judgment on the pleadings. Dkt 17. The motion was referred to Magistrate Judge Sam Sheldon for disposition. Dkt 9; Docket Entry of 07/10/2020. He recommended that it be granted in part and denied in part. See Dkt 23. Specifically, he recommended that:

- *First*, the failure-to-hire claim under the American With Disabilities Act as to the undergraduate internship is timely and should proceed;
- *Second*, the failure-to-hire state-law claim as to the undergraduate internship is untimely and should be dismissed;
- *Third*, all other ADA and state-law claims should

be dismissed for failure to exhaust administrative remedies; and

- *Fourth*, the Rehabilitation Act claims should proceed.

Id at 5–10.

The district court conducts a *de novo* review of those conclusions of a magistrate judge to which a party has specifically objected. See 28 USC § 636(b)(1)(C); *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989). To accept any other portions to which there is no objection, the reviewing court need only satisfy itself that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1420 (5th Cir 1996); see also FRCP 72(b) Advisory Committee Note (1983).

Neither party filed an objection to the Memorandum and Recommendation. The Court has reviewed the pleadings, the record, the applicable law, and the recommendation. The Court finds no clear error.

The Court ADOPTS the Memorandum and Recommendation as the Memorandum and Order of this Court. Dkt 23.

The motion for judgment on the pleadings is GRANTED IN PART and DENIED IN PART. Dkt 17.

The claims specified above are DISMISSED WITH PREJUDICE.
SO ORDERED.

Signed on January 7, 2021, at Houston, Texas.

A handwritten signature in black ink that reads "Ch R Eskridge II". The signature is stylized with a large "C" and "E", and the "II" is written as a Roman numeral.

Hon. Charles Eskridge
United States District Judge